

HW

Commissioner for Patents and trademark Office
P.O. Box 1450, Alexandria, Virginia

September 21/2007

Re: Response to USPTO Communication date mailed: 9/10/07,
Application Serial No. 10/672,562 Filed: 09/29/2003,
For "Exhaustless pollutant",
Final rejection date mailed: 12/06/06

t

Honorable Commissioner for Patents,

The inventor, Gersh Korsinsky, respectfully request the petition to revive under 37 CFR 1.137 (a) or (b), or withdraw the holding the holding of abandonment under 37 CFR 1.181 which is proper for benefits the inventors more in view of:

Applicant timely filed a proper reply to the Office letter mailed on 12/6/06 mailed on 12/27/06 and on 02/09/07, which Certified mail receipt proved wrong fullness of the marked in box 1. mailings date on 12 March 2007 (see Attachments);

Examiner's failure to define why timely filed amendment not places the application in condition for allowance;

or why timely filed reply to the Office letter, mailed on 12/6/07, must be subjected to a timely filed Notice of appeal (with substantial appeal fees charges and invest substantial inventors time and efforts when presented questions are clear administrative nature;

or why timely filed replay to the Office letter, mailed on 12/5/06, subjected to a timely filed Request for Continued Examination (RCE);

Questions presented:

Why the present invention, original written disclosed for, published on about March 30, 2004, was abandoned on September 10, 2007 by the examiner statements (by marking the two box of a standard form only), and without any providing prove, from examination processing, which is actually a confiscation of a self created personal intellectual property and keeping substantial fees from ordinary creative persons.

If USPTO, even if US Congress is a party, promoting the progress of science and arts by confiscation from inventors their respective writings and inventions, by designed policies, traps, rules, etc are blatant in its intent and pernicious in its effect, are in inherently anti-progress and injurious to the public, can satisfy of the taken Oaths "...to the best of my Ability, preserve, protect and defend the Constitution of the United

States". Which provision of the Constitution are the Constitutional Basis for US Congress and USPTO for all activities, related to writing and discoveries, which promotes the progress of science and arts.

Dated: September 21, 2007
Brooklyn, New York

Respectfully submitted,



Gersh Korsinsky,

1236 49th Street, Apt 4B,
Brooklyn, New York 11219
Tel. 718-435-1107 or
718-753-0345

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FIRST NAMED INVENTOR

Gersh Korsinsky

ATTORNEY DOCKET NO.

CONFIRMATION NO.

8840

EXAMINER

RINEHART, KENNETH

ART UNIT

PAPER NUMBER

3749

MAIL DATE

DELIVERY MODE

12/20/2006

PAPER

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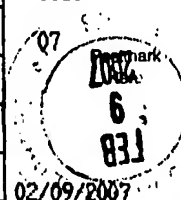
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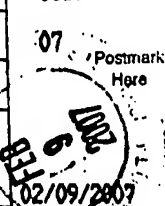
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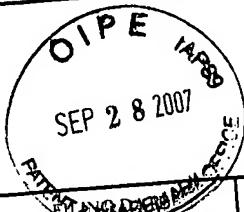


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APPLICATION NO.	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/672,562	Gersh Korsinsky		8840
EXAMINER			
RINEHART, KENNETH			
ART UNIT		PAPER NUMBER	
3749			
MAIL DATE		DELIVERY MODE	
09/10/2007		PAPER	

7590 09/10/2007
GERSH KORSINSKY
1236 49th Street, Apartment 4B
Brooklyn, NY 11219

Please find below and/or attached an Office communication concerning this application or proceeding.
The time period for reply, if any, is set in the attached communication.



Notice of Abandonment

Application No.

10/672,562

Examiner

Kenneth B. Rinehart

Applicant(s)

KORSINSKY ET AL.

Art Unit

3749

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

This application is abandoned in view of:

1. ☒ Applicant's failure to timely file a proper reply to the Office letter mailed on 12/6/06.
 - (a) ☐ A reply was received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the period for reply (including a total extension of time of _____ month(s)) which expired on _____.
 - (b) ☒ A proposed reply was received on 12 March 2007, but it does not constitute a proper reply under 37 CFR 1.113 (a) to the final rejection.

(A proper reply under 37 CFR 1.113 to a final rejection consists only of: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114).
 - (c) ☐ A reply was received on _____ but it does not constitute a proper reply, or a bona fide attempt at a proper reply, to the non-final rejection. See 37 CFR 1.85(a) and 1.111. (See explanation in box 7 below).
 - (d) ☐ No reply has been received.
2. ☐ Applicant's failure to timely pay the required issue fee and publication fee, if applicable, within the statutory period of three months from the mailing date of the Notice of Allowance (PTOL-85).
 - (a) ☐ The issue fee and publication fee, if applicable, was received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the statutory period for payment of the issue fee (and publication fee) set in the Notice of Allowance (PTOL-85).
 - (b) ☐ The submitted fee of \$_____ is insufficient. A balance of \$_____ is due.

The issue fee required by 37 CFR 1.18 is \$_____. The publication fee, if required by 37 CFR 1.18(d), is \$_____.
 - (c) ☐ The issue fee and publication fee, if applicable, has not been received.
3. ☐ Applicant's failure to timely file corrected drawings as required by, and within the three-month period set in, the Notice of Allowability (PTO-37).
 - (a) ☐ Proposed corrected drawings were received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the period for reply.
 - (b) ☐ No corrected drawings have been received.
4. ☐ The letter of express abandonment which is signed by the attorney or agent of record, the assignee of the entire interest, or all of the applicants.
5. ☐ The letter of express abandonment which is signed by an attorney or agent (acting in a representative capacity under 37 CFR 1.34(a)) upon the filing of a continuing application.
6. ☐ The decision by the Board of Patent Appeals and Interference rendered on _____ and because the period for seeking court review of the decision has expired and there are no allowed claims.
7. ☐ The reason(s) below:


KENNETH RINEHART
PRIMARY EXAMINER

Petitions to revive under 37 CFR 1.137(a) or (b), or requests to withdraw the holding of abandonment under 37 CFR 1.181, should be promptly filed to minimize any negative effects on patent term.